

ORDINANCE # 232

AN ORDINANCE AMENDING
ORDINANCE #50 AND ALL
SUBSEQUENT AMENDMENTS
THERE TO BY IMPOSING ADDITIONAL
PARKING RESTRICTIONS AND REVISING
THE FINES AND PENALITIES FOR
PARKING VIOLATIONS

Background Recitals

- A. Since Ordinance 50 and the amendments were enacted the Township has contracted with Ephrata Borough for Police Services.
- B. The Township desires to amend its Traffic Ordinance so that it is similar to the Borough's ordinance in the amount of the fines that are imposed to address other types of parking the Township desires to regulate.

BE IT ORDAINED AND ENACTED by the Supervisors of the Township of Ephrata, County of Lancaster and Commonwealth of Pennsylvania. And it is hereby enacted and ordained that Ordinance 50 as amended is further amended as follows:

Section 1. Section 8.B. is revoked and the following is substituted in lieu thereof:

8.B. It is unlawful to: stop, stand, park, abandon or leave a vehicle on any public road in Ephrata Township as follows:

1. against the flow of traffic;
2. double parked;
3. in any manner that blocks or impedes the flow traffic;
4. that is abandoned or disabled;
5. that blocks a drive way, crosswalk;
6. in a "no parking" areas where signs prohibit parking or stopping or standing;
7. in a marked or posted fire lane or emergency access easement;
8. in a handicapped zone;
9. within fifteen (15) feet of a fire hydrant;
10. that restricts or blocks a means of ingress/regress;
11. that obstructs a standpipe or fire department connection.
12. in a fire lane or that blocks an emergency access lane.

Section 2. the following subsections are hereby added to Section 8.

8.C. In addition it is unlawful to leave any vehicle standing or parked on any Township roadway after an emergency is declared by the Township Officials or when the owner or operator of said vehicle have been given written or verbal notice by a police officer that the vehicle is creating a

hazard to traffic movement or is an impediment to the safe movement of traffic during snow or another activity.

8.D. It shall be unlawful for any person to use any street for the parking or storing of recreational vehicles including campers; boats; boats on trailers; snow mobiles; snow mobiles on trailers; trailers intended to carry boats, snowmobiles, or vehicles; motor homes; construction trailers; or any other trailer; or combination thereof regardless of it's intended use for any period longer than 24 hours, provided that it shall be unlawful for any person to remove any such vehicle or trailer from one location to another for a brief period of time and return it to the original or nearby location in order to avoid the 24 hour continuous time limitation set forth hereinabove.

8. E. It shall be unlawful for any person to park on any public street or alley in the Township any commercial vehicle with a registered gross weight in excess of 9,000 pounds or any truck tractor and or semi trailer and to allow such vehicle to remain parked there for longer than one hour between the hours of 6:00 pm and 6:00 am on week days or for more than one hour between the hours of 6:00 pm Saturday and 6:00 am Monday.

8.F. It shall be unlawful for any person to occupy any portion of a street for the storage of materials and or equipment for construction.

8. G. It shall be the duty of the Ephrata police officers to report to the appropriate officials all violations of any parking ordinance provisions, indicating in each case the violation; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parking in violation of a specified ordinance. The notice shall contain instructions to the owner or driver of that vehicle that he or she shall report to the office of the Chief of Police and pay the amount prescribed in the following schedule forfeitures within five days after the time of notice, or he or she may remit by mail the amount prescribed on the notice. The date of the postmark will constitute the date of payment. This act will save the violator from prosecution and from payment of the fine and costs prescribed by the applicable ordinance.

8.H. The following schedule of forfeitures shall apply to violations indicated on notices attached to vehicles in violation of the provisions of any parking ordinance.

- (1) No parking zone: \$15.00.
- (2) No parking zone, fire lane or emergency access lane: \$25.00.
- (3) No-parking, handicapped zone: \$100.00.
- (4) Parking less than 15 feet from a fire hydrant: \$25.00.
- (5) Parking of commercial vehicle after hours: \$15.00.

(6) Any other violation: \$15.00.

8.I. Any person who violates any provision of this section 8 and who fails to pay the fine set forth in section 8. H. within five (5) days of the violation shall be issued a citation and, upon conviction, be sentenced to pay a fine in the amount set forth above for each offense and imprisonment to the extent allowed by law for summary offenses. Nothing contained herein shall prevent the police from citing the offender under the Motor Vehicle Code where applicable.

8. J. Each day or part of each day the violation shall occur shall be considered a separate offense.

8. K. The Township in addition to any other remedies available to it by law shall have authority to remove and impound or to order the removal or impounding of any vehicle illegally parked provided that the circumstances of its parking were within the conditions stated in section 8. A of this Ordinance, provided no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Ordinance or the Pa Motor Vehicle code. 75 Pa. C.S.A 101 et seq.

8. L. The streets and or parking lots set forth in Section are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of the Township Parking Ordinance

Removal and impounding of vehicles under this Ordinance shall only be done by approved storage garages that are designated from time to time by the Township Supervisors. Every such garage shall submit evidence to the Township Supervisors that it is bonded or has acquired liability insurance in an amount satisfactory to the Township as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Township its schedule of towing and storage charges under this ordinance, and when said schedule is approved by the Township those charges shall be adhered to by the approved storage garage. No different schedule of charges shall be demanded or collected from any person whose vehicle is towed or impounded under this ordinance by any approved storage garage. The Township shall delete from this list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Ordinance.

Section 3. Inconsistent Ordinances. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. Invalidity. If any of the provisions, sections, sentences, clauses or parts of this ordinance, or the application of any provisions hereof shall, for any reason, be held invalid, such invalidity shall not effect or impair any of the remainder of this ordinance, it being the intention of the Township that such remainder shall be and remain in full force and effect.

Section 5. Provisions to be Continuation of Existing Regulations. The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this ordinance shall

not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of these repealed ordinances or regulations.


Section 6. The Terms Police, Ephrata Police or Ephrata Township Police shall mean and refer to whatever type of Police Service the Township has engaged for the protection of its citizens.

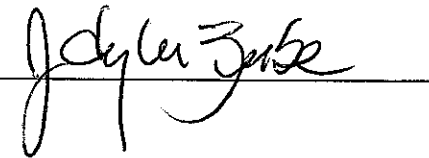
Section 7. This ordinance shall become effective five (5) days after enactment.

ORDAINED and ENACTED this 7th day of December, 2010.

EPHRATA TOWNSHIP

BY: 


BY: 

BY: 

CERTIFICATE

I, the undersigned, Secretary of the Township of Ephrata, Lancaster County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of all members of the Board at a meeting of the Board duly convened and held according to law on December 7, 2010.

Date: 12/7/2010



Secretary

(SEAL)